

CHARTER COMMISSION MEETING 8/28/06

**CHARTER COMMISSION
CITY AND COUNTY OF HONOLULU
711 Kapiolani Blvd. Suite 1485
Honolulu, Hawaii 96813**



**COMMITTEE ON SUBMISSION & INFORMATION
REPORT FROM COMMITTEE MEETINGS HELD ON
JULY 20 AND AUGUST 25, 2006**

1. Public Information Plan
2. Digest Language
3. Introductory Text
4. Selection of Vendors

PART 1 – PUBLIC INFORMATION PLAN

The following plan was approved by the Submission & Information Committee on 7/20/06.

SEPTEMBER

(Sept 1 – Final ballot language to City Clerk)

(Sept 23 – Primary Election)

- Prepare brochure and newspaper advertisements
- Prepare radio/TV advertisements
- Schedule presentations to organizations, talk shows
- Press releases
- Public service announcements
- Updated website
- By Sept 23 - Publish digest/notice in both major daily newspapers (required by Charter)
- By Sept 23 - Publish digest/notice in Chinese, Japanese, Ilocano newspapers

OCTOBER

(Early October – Clerk mails absentee ballots)

(Oct 24-Nov 4 – Walk-in absentee voting)

- Presentations to Neighborhood boards, organization meetings
- Appearances on talk shows (radio, TV)
- Sample ballot?
- Press releases
- Public service announcements
- Website
- Mid-October - Bulk mailing of brochure to all voting households
- Mid-October - TV, radio, newspaper ads

NOVEMBER

(Nov 7 – General Election)

PART 2 – DIGEST LANGUAGE

The following language was approved by the Submission & Information Committee on 8/25/06.

PROPOSAL 1

Present: The City Council has the power to reject the Salary Commission's recommendations as to the salaries of elected officials and certain high-ranking City employees.

If proposal passes:

- The Salary Commission's decisions on salaries and salary schedules would be final.
- The City Council would not be able to reject the Salary Commission's decisions.

PROPOSAL 5

Present: All City elections, even those involving two candidates only, are held during the first special election (on Primary Election day).

If proposal passes:

- In any City election in which there are only two candidates for a position, the election would be held at the second special election (on General Election day), rather than at the first special election (on Primary Election day).

(NOTE: After 8/25/06, staff revised capitalization for consistency)

PROPOSAL 27

Present: The positions of Liquor Administrator and Deputy Liquor Administrator are civil service positions.

If proposal passes:

- The Liquor Administrator, Deputy Liquor Administrator and a new secretary position would be exempt from civil service provisions.
- The Liquor Commission would have the power to appoint and remove the Liquor Administrator.
- The Liquor Administrator would have the power to appoint and remove the Deputy Liquor Administrator and a secretary in a new exempt position.

PROPOSAL 28

Present: The Ethics Commission can make recommendations for disciplinary action against elected officers, but cannot impose fines or other discipline.

If proposal passes:

- Ethics Commission would have the power to impose civil monetary fines against elected officers of the City.
- The amount of the fines would be established by ordinance.

PROPOSALS 33 AND 36

Present: The powers, duties, and functions of the Director of Emergency Services and the Fire Chief are set forth in the Charter, but do not specify certain powers, duties, and functions relating to emergency medical services, ocean safety, hazardous materials, and injury prevention that are already being performed by the departments.

If proposal passes:

- The powers, duties, and functions of the Director of Emergency Services would specify that the Director shall be the primary provider of emergency medical care, that the Director would develop programs related to injury prevention, provide for ocean safety programs, and be the primary responder to emergencies arising on the beach and near shore waters.
- The powers, duties, and functions of the Fire Chief would specify that the Fire Chief shall also provide emergency medical care and specify that the Fire Chief shall respond to hazardous material incidents.

(NOTE: After 8/25/06, staff revised title name and capitalization for consistency)

PROPOSAL 34

Present: The capital budget includes appropriations for constructing public improvements, acquiring land, and carrying out planning and engineering studies. Appropriations authorized in the capital budget may be spent during that fiscal year and for 6 months thereafter.

If proposal passes:

- The time would be extended, so that money appropriated in the capital budget may be spent during the fiscal year and for 12 months thereafter.

PROPOSAL 55 - QUESTION 1

Present: The City Council consists of nine members who are elected to four-year terms. Councilmembers and the Mayor are currently limited to two consecutive four-year terms. Councilmembers' terms are also staggered, so that five of the seats are elected in one election, and the other four seats are elected in the next election two years later.

If proposal passes:

- The current system of term limits and staggered terms for the Council would be changed.
- The new system for the Council would be determined by the result of the vote on the next question.
- The term limit for the Mayor would not be changed.

PROPOSAL 55 - QUESTION 2

Note: Whether you voted “yes” or “no” on the previous question, you may still cast a vote on this question. If the previous question passes, then the new system will be determined by the result of the vote on this question. If the previous question does NOT pass, then the result of the vote on this question will not take effect.

Present: City Council members and the Mayor are currently limited to two consecutive four-year terms. Councilmembers' terms are staggered, so that five of the seats are elected in one election, and the other four seats are elected in the next election two years later.

If ALTERNATIVE A is selected:

- Staggering of Councilmember terms would be eliminated, so that all seats would be up for election in the same year.
- Council term limits would be eliminated; Councilmembers may be re-elected without limit on number of terms served.
- The term limit for the Mayor would not be changed.

If ALTERNATIVE B is selected:

- Staggering of Councilmember terms would be eliminated, so that all seats would be up for election in the same year.
- Council term limits would be extended, so that Councilmembers may serve up to three consecutive four-year terms.
- Councilmember terms already served would not count toward the limit, so current incumbents would be eligible for an additional three consecutive four-year terms.
- The term limit for the Mayor would not be changed.

PROPOSAL 71

Present: The powers, duties, and functions of the Director of Environmental Services include the development and administration of solid waste collection, processing, and disposal systems, but do not specifically include curbside recycling.

If proposal passes:

- The powers, duties, and functions of the Director of Environmental Services would also include developing and administering a comprehensive curbside recycling system.

(NOTE: After 8/25/06, staff revised title name and capitalization for consistency)

PROPOSAL 91

Present: There are no specially dedicated funds for acquisition of public lands for land conservation or for providing and maintaining affordable housing.

If proposal passes:

- A minimum of one percent of real property tax revenues would be placed in two special funds; one fund would be known as the “Clean Water and Natural Lands Fund” and the other would be known as the “Affordable Housing Fund.”
- Moneys in the “Clean Water and Natural Lands Fund” would be used to purchase or acquire real estate for land conservation.
- Moneys in the “Affordable Housing Fund” would be used to provide and maintain affordable housing for persons earning less than fifty percent of the median household income in the city.
- Moneys in the funds would not lapse, but shall remain in the funds, accumulating from year to year.

PROPOSAL S-9

Present: The Director of Transportation Services is responsible for transportation systems, public transit, traffic control facilities and devices, traffic safety programs, and other duties.

If proposal passes:

- The powers, duties, and functions of the Director of Transportation Services would also include bikeway systems.
- The Charter would state that it shall be one of the priorities of the Department of Transportation Services to make Honolulu a pedestrian- and bicycle-friendly city.

(NOTE: After 8/25/06, staff revised title name and capitalization for consistency)

HOUSEKEEPING

This ballot question combines seven items. One item is to also provide public notice by electronic medium and the remaining items are housekeeping amendments to conform to current functions and operations, to conform to legal requirements, to correct an inadvertent omission and for clarity. If the proposal passes:

- (a) Language regarding the Department of Information Technology would be modernized to use terms such as “information technology” and “telecommunications” instead of “data processing.”
- (b) To correct an inadvertent omission, the Director of Customer Services will be included in the list of department heads to be appointed by the Mayor with the advice and consent of the Council and may be removed by the Mayor.
- (c) For clarification, the Charter would include a reference to the Hawaii State Constitution prohibition on Ethics Commission members from taking an active part in political campaigns.
- (d) To conform to a court decision, the unconstitutional prohibition on political campaign by Police Department employees would be deleted from the Charter.
- (e) To conform to legal requirements, the Civil Defense Administrator would be deleted from the list of department heads who are appointed by the Mayor with the advice and consent of the Council and may be removed by the Mayor.
- (f) To conform to federal law, the requirement of Social Security numbers on petitions for recall, ordinances by initiative, and charter amendments would be deleted.
- (g) In addition to the requirement that public notice be published in a newspaper of general circulation, public notices would be required to be distributed via an electronic medium.

(NOTE: After 8/25/06, staff revised title name and capitalization for consistency)

PART 3 – INTRODUCTORY TEXT

The following language was approved by the Submission & Information Committee on 8/25/06. This language may be printed in the brochure; similar language could be included at the top of the newspaper advertisement.

Honolulu's City Charter

The City Charter is Honolulu's "constitution," serving as the governing document that establishes the principles by which our City government operates. The Charter requires that the Mayor and City Council appoint a Commission every ten years to review the Charter and submit changes to the voters.

The 2005-2006 Charter Commission held 35 public meetings and received extensive testimony on changes to the Charter. After studying many proposals, eleven proposed charter amendments were selected to present to the voters at the General Election.

Vote on the Charter Amendments

We urge you to participate in determining the future of our City by voting on these proposed charter amendments at the General Election on November 7, 2006.

This booklet provides brief explanations of each proposed charter amendment. To prepare for Election Day, please take a moment to read this booklet and decide how you will vote on each proposal.

For More Information

Contact the Charter Commission at 592-8622 or charter@honolulu.gov or visit the Charter Commission website at <http://www.honolulu.gov/chc>.

Mahalo for helping to shape the future of Honolulu!

2005-2006 Charter Commission
(list of Commissioners and staff)

(Note: After 8/25/06, staff revised capitalization; corrected the number of Commission meetings.)

PART 4 – SELECTION OF VENDORS

On 8/25/06 the committee selected the following vendors:

Printing of brochures: Ryan's Graphics

Mailing of brochures: Hagadone

Media consulting: Medialogy, contingent on determination by staff and Treasurer Myers regarding whether the bid includes all necessary items and whether the firm is capable of the project.